



A39-972-010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Shelton, R.H.

Serial Number: 09/025,279

Filed: February 18, 1998

For: STANDING ORDER DATABASE
SEARCH SYSTEM AND METHOD
FOR INTERNET APPLICATION

Examiner:

Group Art Unit: 2761

STATUS REQUEST

HONORABLE COMMISSIONER OF PATENTS
AND TRADEMARKS
Washington, D. C. 20231


Sir:

It is respectfully requested that undersigned attorney for applicant be advised when the decision will be rendered on the Petition Under 37 CFR 1.182 filed in the subject application on June 10, 1998.

A copy of such Petition, but without the attachments thereto, is attached hereto.

Respectfully,


Date Oct 7, 1999


John L. Sigalos
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D. C. 20231 on Oct 7, 1999.

Date: Oct 7, 1999


John L. Sigalos

A39-972-010

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SEARCH SYSTEM AND METHOD)	
FOR INTERNET APPLICATION)	

PETITION UNDER 37 CFR 1.182

The Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

The Commissioner is respectfully requested to issue a corrected Filing Receipt on the subject application showing the filing date to be February 17, 1998 and the date of filing of the parent provisional application to be February 17, 1997, not 1996.

FACTUAL BACKGROUND

Accompanying this Petition is a Declaration by undersigned attorney for applicant pointing out the fact that he personally deposited the subject application in an Express Mail box maintained by the U.S. Postal Service on February 17, 1998 prior to the time of the scheduled pickup of Express Mail from that box.

The Declaration further shows that as promptly as the Customer Copy of the Express Mail filing was received showing the incorrect date, inquiry was made to the U.S. Postal Service.

EXHIBIT S-1

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Attached to such Declaration is the response to the inquiry received from the Postal Service dated March 19, 1998 showing that in fact the application was deposited on February 17, 1998, but not scanned into their system until 1:56 a.m., February 18, 1998 when it reached the Airport Mail Center due to Postal Service time constraints.

Thus, the application was filed on February 17, 1998 and it was the Postal Service that delayed in putting it into its system.

The Filing Receipt also incorrectly gives the year of filing of the parent provisional application as 1996 and not 1997. This is an erroneous carry-over from the Filing Receipt in the provisional application. This was an obvious typographical error which is obvious from the record.


This correct filing date is important since it is noted that the prior provisional application on which the instant application is based and to which priority is requested was filed on February 17, 1997 and such priority will be lost if the filing date is not corrected.

The Commissioner, in the interest of justice, is requested to make the correction requested and not to allow delay committed by the U.S. Postal Service to prejudice any rights of applicant to continuity.

The fee of \$130.00 is submitted herewith for this Petition.

June 10, 1998.

Respectfully submitted,



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THE DATE STAMPED HEREON BY THE U.S. PATENT AND TRADEMARK OFFICE IS AN
ACKNOWLEDGMENT OF RECEIPT OF THE PAPER(S) IDENTIFIED BELOW:

Description of Paper:	Receipt Date:
<i>Patent Request</i>	
Name of Applicant(s):	
<i>Shelton, R. H.</i>	
Title of Invention:	
<i>STANDING ORDER DATABASE... APPLICATION</i>	
Serial No.:	Patent No.:
<i>09/025,279</i>	
Mailed:	
<i>02-7, 1999</i>	
Due:	
File No.: <i>A39-972-010</i>	

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